

SENATOR ROBAK: Yes, he was, that he was. He was approved and he was licensed.

SENATOR DIERKS: What changed...what changed the DEQ's mind about whether the man was in compliance or not?

SENATOR ROBAK: They just informed...they just informed him that he was in violation of contamination when they opened his landfill. They opened so many landfills in the state for investigatory purposes, and his was one of them, and they now have him, and it has gone as far as Step 7, and he is an individual, he is not a government subdivision, so he does not fall under, and I am digressing now because I am sort of answering Senator Beutler's question here, too, about my priority bill. It only allowed this person, individual, to dip into the State Lottery Cash Fund, which would be a grant from the DEQ, which are capped in 1997, and there is only like \$50,000 that would be given to this individual. And I guess I do...this came to me as a...and I have talked with my staff on this, just as we were listening to this, and it was very hastily drafted because it has been on my mind ever since it was approached me last September and October and we worked with DEQ very closely on this, and they will not change their position on this. They are engaging him as a responsible party. Your question, did I answer your question? I am not sure I did.

SENATOR DIERKS: Well, I guess the thing I was wondering about is what he had done that changed...

SENATOR ROBAK: He did nothing.

SENATOR DIERKS: ...that changed...well, how then did he get to the position where the DEQ was not supporting him where they had earlier given him the permit?

SENATOR ROBAK: They, obviously, changed their rules or regs, or else the EPA said now these contaminants which were acceptable at that time are not acceptable. I could not get too much information from DEQ on this subject. That's my understanding of the issue at this point in time. Who made the decision, what facts can be produced and the change of mind on the part of DEQ, that is one of the questions that I have that was not really answered to me. I have a list of questions to DEQ that have never been made clear to me, or to my constituents, who were